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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,246

04/13/2004

Keiji Kuroda

4679

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21553

7590

10/18/2005

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EXAMINER

FIGUEROA, FELIX O

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/824,246	Applicant(s) KURODA ET AL.	
	Examiner Felix O. Figueroa	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

The drawings are objected to because they have elements shown in cross section which are not properly crosshatched. Insulating members shown in cross section should be properly crosshatched. See for example Figs. 10, 11, 14, 15, 18 and 21. It is brought to applicant's attention that the conventional crosshatch for insulating members shown in cross section consist of lines of two different thicknesses alternatively disposed.



Correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Sai et al. (WO 2002-03504 / US 6,786,781).

Sai discloses an electric contact of a plug connector formed by folding a blank of a certain configuration wherein the electric contact is adapted to be inserted into a receiving cell of a housing having the receiving cell and to be fitted in the housing so as to form the plug connector, the electric contact comprising, with respect to a depth direction, a width direction and a thickness direction all being perpendicular to each

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other, a body having a barrel (30) for crimping an electric wire and a tab (10) extending rearward in the depth direction from the body, the tab comprising a base plate (12) and a contact plate (11) formed by folding a part of the blank and overlapping the plates in the thickness direction, wherein the contact plate is adapted to contact a counterpart electric contact; a rear end in the depth direction of the base plate includes a protruding part (13) that protrudes rearward beyond the rear end in the depth direction of the contact plate, and the electric contact is adapted to be arranged in and cooperate with a housing so that when the body is set in the receiving cell of the housing the base plate of the tab protruding out of the receiving cell is supported by the housing, and the protruding part of the base plate is fitted in and held by the housing so that the tab does not lift from a housing in the thickness direction. Please note that it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138. Accordingly, this recitation has been given little patentable weight.

Regarding claims 2 and 3, it is noted that the claim describes a process of manufacturing (folded) which is incidental to the claim apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, the subject by process claim limitation is afforded little patentable weight (see MPEP 2113).

Regarding claims 4-6, Sai discloses a part of the body adjacent to the tab is larger than the-tab in at least one of the width direction and the thickness direction to provide a fitting-in part for fitting in the receiving cell of the housing.

Regarding claim 16, Sai discloses an electric contact for an electric plug connector wherein: said electric contact comprises an elongated contact body (1) that extends longitudinally in a longitudinal direction; said contact body comprises a crimping barrel (30) that is adapted to receive and be crimped onto an electric wire, and a contact tab (10) that extends in said longitudinal direction from said crimping barrel and that is adapted to make contact with a counterpart connector contact; said contact tab comprises a base plate (12) and a contact plate (11) that are integral and unitary with one another through a folded junction and that are folded flat with respect to one another along said folded junction so as to overlap and reinforce one another; and said contact tab further comprises a protruding part (13) that protrudes integrally and unitarily from an end of the base plate in said longitudinal direction opposite said crimping barrel so that said protruding part protrudes beyond an end of said contact plate in said longitudinal direction opposite said crimping barrel.

Regarding claims 17-19, Sai discloses said folded junction is a tight fold so that said base plate and said contact plate extend flat and planar in contact with one another so as to form a doubled plate structure of said contact tab. It is noted that the claim describes a process of manufacturing (folded) which is incidental to the claim apparatus. It is well established that a claimed apparatus cannot be distinguished over

the prior art by a process limitation. Consequently, the subject by process claim limitation is afforded little patentable weight (see MPEP 2113).

Claims 7-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Achammer et al. (US 6,071,152).

Achammer discloses a housing configured and adapted to have electrical contacts inserted and fitted therein so as to form the plug connector, the housing (10) comprising, with respect to the depth direction, the width direction and the thickness direction all being perpendicular to each other, a receiving body (12) having a receiving cell adapted to have inserted therein the electric contact with an electric wire connected thereto; a supporting wall (14) that extends rearward in the depth direction from a part on one side of the receiving cell in the thickness direction and that is adapted to support the base plate of the electric contact on a first face (19) thereof in the thickness direction; a top end wall (top, Fig.3) that rises on the one first face of the supporting wall at a rear side in the depth direction of the supporting wall; and a fitting wall (inner extension) that extends frontward in the depth direction from the top end wall and that is spaced from the first face of the supporting wall in the thickness direction by a distance equal to or greater than a thickness of the blank of the electric contact and that is adapted to contact the protruding part of the tab of the electric contact to restrict the tab from lifting from the supporting wall.

Regarding claim 13, Achammer discloses cross walls (see Fig.7) that rise in the thickness direction on both sides in the width direction of a part of the supporting wall and that are adapted to receive the base plate of the electric contact.

Regarding claim 14, Achammer discloses the fitting wall has a thickness adapted to be substantially identical to the thickness of the blank of the electric contact.

Regarding claim 15, Achammer discloses an accepting part adapted to have the fitting-in part of the electric contact fitted therein, wherein the accepting part is provided at a rear end of the receiving cell of the receiving body.

***Allowable Subject Matter***

Claim 20 is allowed.

***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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THO D. TA  
PRIMARY EXAMINER